

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America  
Plaintiff,

Case No.: S2-09-CR-242-NRB

V.

EDER PEDRAZA PENA  
Defendant,

\_\_\_\_\_/

**MEMORANDUM IN AID OF SENTENCING**

**COMES NOW** The defendant Eder Pedraza Pena and pursuant to 18 U.S.C.3553 files with this Honorable Court his Memorandum in Aid of Sentencing.

- 1.- The Defendant has no objections to the pre sentence report.
- 2.- The Defendant asks that the Court sentence him at the low end of the guidelines which in this case is 235 months.

The Defendant pled guilty, and has accepted responsibility for his actions.

He was one of a number of investors in the load of the Miss Siloe. Other defendants, crew members, were sentenced to substantially lesser terms to what the Defendant is facing. Although admittedly the defendant was a manager or supervisor deserving of a 3 point increase, there is a marked difference in the sentences.

This Defendant will be deported after finishing his term of imprisonment. He has learned his lesson. Because the Defendant was extradited he will be deprived during his incarceration of being visited by his wife and children and other close members of the family except his sister, who is an attorney in Colombia.

One of the categories in 18 U.S.C.3553 is to provide for just punishment. The undersigned submits that a sentence of 235 months is sufficient to reflect the seriousness of the offense, to promote respect for the law and to provide for just punishment for the offense.

Respectfully submitted,  
S/Louis Casuso  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 28<sup>th</sup> day of January, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

BY: S/LOUIS CASUSO